

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DBM, LLC, d/b/a LIMB LAB, a Minnesota
Limited Liability Company

Plaintiff,

and

JASON DEAN,

Intervenor-Plaintiff,

vs.

HANGER PROSTHETICS AND ORTHOTICS,
INC., a Delaware Corporation,

Defendant.

8:19CV429

ORDER

This matter is before the Court on the Motion to Withdraw ([Filing No. 47](#)) filed by Susan M. Napolitano, counsel for the intervenor, Jason Dean. Mr. Dean represented to Ms. Napolitano that he has retained alternate counsel who will be filing an entry of appearance. Ms. Napolitano filed the instant motion to withdraw two weeks ago, but no new counsel has yet filed an appearance on Mr. Dean's behalf. Under the circumstances, the Court will permit Ms. Napolitano to withdraw from her representation of Mr. Dean and deem him to be proceeding pro se. Accordingly,

IT IS ORDERED:

1. The Motion to Withdraw ([Filing No. 47](#)) filed by Susan M. Napolitano, counsel for the intervenor, is granted.
2. Ms. Napolitano shall immediately serve a copy of this Order on Mr. Dean and thereafter file proof of service showing compliance with this Order, listing the name and address of the person to whom notice was sent. Ms. Napolitano will not be relieved of her applicable duties to the Court, Mr. Dean, and opposing counsel until proof of service is filed.
3. Upon filing of proof of service pursuant to Paragraph 2 of this Order, Mr. Dean will be deemed to be proceeding *pro se*, that is, without the assistance of counsel, unless substitute counsel enters a written appearance on his behalf. If substitute counsel does not enter a written appearance, Mr. Dean shall provide the Clerk of Court his current address and telephone number **within five days of being served with this Order**.

4. Mr. Dean may retain substitute counsel at any time. However, until such time as substitute counsel enters a written appearance, Mr. Dean must comply with all case progression deadlines, orders of this Court, the Federal Rules of Civil Procedure, and the Local Rules of Practice. Failure to comply with these requirements may result in the imposition of sanctions, including payment of costs, attorneys' fees, and/or dismissal of the case.
5. Upon submission of proof of service as described in Paragraph 2 of this Order, Ms. Napolitano's appearance as counsel of record for Mr. Dean will be terminated, and the Clerk of Court shall terminate electronic notice to that attorney in this case.

Dated this 10th day of September, 2020.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge